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contacting a nucleic acid sample from a human patient with a probe which hybridizes to [the] a target polynucleotide sequence under stringent conditions that include washing with 0.2x SSC at 65°C for 15 minutes, the target polynucleotide sequence comprising a sequence selected from the group consisting of SEQ ID NO:1, SEQ ID NO:2, SEQ ID NO:3, SEQ ID NO:4, SEQ ID NO:5, SEQ ID NO:6, SEQ ID NO:7, SEQ ID NO:8, SEQ ID NO:9, SEQ ID NO:10, SEQ ID NO:11, SEQ ID NO:12, and SEQ ID NO:13 wherein the probe is contacted with the sample under conditions in which the probe hybridizes selectively with the target polynucleotide sequence to form a stable hybridization complex; and detecting the formation of a hybridization complex [, whereby] to determine the presence or absence of neoplastic cells having an increased copy number of nucleic acid sequences at chromosomal region 20q13.2 [is determined].

REMARKS

Initially, it is noted that Applicants have not received copies of the PTO 1449s attached to the Information Disclosure Statements (IDSs) filed April 11, 1997, July 8, 1997, and November 21, 1997 considered by the Examiner. Copies of the considered PTO 1449s are respectfully requested with the next Office Action.

The coversheet of the Office Action dated October 16, 1998 indicates that claims 24-40 and 48-63 are pending and have been examined. Applicants note that claims 1-25 and 41-47 are also pending, but have been withdrawn from consideration by the Examiner.

Claim 26 has been amended to further clarify the present invention. Support for the amendment can be found throughout the specification and claims as originally filed. For example, support can be found at the carryover paragraph of pages 2-3 of the specification. No new matter has been added.

As a convenience to the Examiner, a set of the claims that have been examined in the Office Action mailed October 16, 1998 is attached to this response as an appendix.

Applicants note that the restriction/election of species requirement was made final. Applicants respectfully request reconsideration. Examination of the patent application would be most expeditious by examining all pending claims together. As MPEP §803 requires: